

Lehmanitz



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Kara Aerospace, Incorporated

File: B-265803

Date: September 21, 1995

DECISION

Kara Aerospace, Incorporated protests the elimination of its proposal from the competitive range under request for proposals (RFP) No. 94-9, issued by the Library of Congress for the production and maintenance of engineering drawings for the National Library Service for the Blind and Physically Handicapped.

We dismiss the protest.

The RFP was issued on December 5, 1994. The protester submitted its initial technical and cost proposal on January 27, 1995. By letter dated June 12, the contracting officer advised the protester that its proposal was eliminated from the competitive range. Specifically, the contracting officer stated that the protester's technical proposal was deficient for the following reasons: (1) failure to adequately explain how the work will be managed as it moves between subcontractors; (2) failure to describe the required monthly activity report; (3) failure to include a sample of the referenced aperture card; (4) failure to discuss the maintenance of the back-up hard copy system; (5) failure to include a sample microfilmed drawing; (6) failure to discuss proposed procedures for document control and communication with the subcontractor; (7) failure to have a quality assurance procedure for checking back-up; (8) failure of the proposed method for computer-aided design conversion to maintain drawing integrity for individual packages when requested by the manufacturer; and (9) failure to provide a plan to meet schedule requirements. In addition, the contracting officer stated that the protester's proposed cost was unreasonably high.


By letter dated August 17, and filed with our Office on August 18, the protester challenged the elimination of its proposal from the competitive range for the above-stated technical and cost reasons. The protester states that it should have been afforded an opportunity to correct these perceived deficiencies by participating in discussions and submitting a best and final offer.

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Protests not based upon alleged improprieties in a solicitation must be filed no later than 10 working days after the protester knew or should have known of the basis of protest, whichever is earlier. Bid Protest Regulations, 4 C.F.R. § 21.2(a)(2) (1995); Women's Energy, Inc.; San Franciscans for Public Power; City and County of San Francisco, B-258785 et al., Feb. 15, 1995, 95-1 CPD ¶ 86.

In its protest filed with our Office on August 18, the protester acknowledges receipt of the contracting officer's June 12 letter which listed 10 specific reasons for the elimination of its proposal from the competitive range. This protest, filed approximately 2 months after the protester was notified of these reasons and the elimination of its proposal from the competitive range, is clearly untimely. Id.; see C&M Data Management Corp.-Recon., B-253245.3, Sept. 16, 1993, 93-2 CPD ¶ 172.

The protest is dismissed.


Michael R. Golden
Assistant General Counsel